

## **EXHIBIT N**

PENAP, WDREF

**U.S. Bankruptcy Court  
Southern District of New York (Manhattan)  
Adversary Proceeding #: 10-04950-brl**

*Assigned to:* Judge Burton R. Lifland

*Date Filed:* 12/02/10

*Lead BK Case:* [08-99000](#)

*Lead BK Title:* Administrative Case Re: 08-01789

(Securities Invest

*Lead BK Chapter:* 11

*Demand:* \$3750000

*Nature[s] of Suit:* 13 Recovery of money/property - 548 fraudulent transfer  
14 Recovery of money/property - other

***Plaintiff***

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**Irving H. Picard, Trustee for the  
Liquidation of Bernard L. Madoff  
Investment Securities LLC, and Bernard L.  
Madoff**

represented by **Marc E. Hirschfield**  
Baker & Hostetler LLP  
45 Rockefeller Plaza  
New York, NY 10111  
(212) 589-4200  
Fax : (212) 589-4201  
Email: [bhaa@bakerlaw.com](mailto:bhaa@bakerlaw.com)  
**LEAD ATTORNEY**

**Marc E. Hirschfield**  
Baker & Hostetler LLP  
45 Rockefeller Plaza  
New York, NY 10111  
(212) 589-4200  
Fax : (212) 589-4201  
Email: [bhaa@bakerlaw.com](mailto:bhaa@bakerlaw.com)

V.

***Defendant***

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**Kostin Company**

represented by **Bernard J. Garbutt, III**  
Morgan Lewis & Bockius, LLP  
101 Park Avenue  
New York, NY 10178  
(212) 309-6084  
Fax : (212) 309- 6001  
Email: [bgarbutt@morganlewis.com](mailto:bgarbutt@morganlewis.com)

**Matthew Kalinowski**  
Morgan, Lewis & Bockius, LLP  
101 Park Avenue  
New York, NY 10178  
212.309.6785  
Fax : 212.309.6001  
Email: [mkalinowski@morganlewis.com](mailto:mkalinowski@morganlewis.com)

***Defendant***  
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**Susan Kostin, in her capacity as General  
Partner of Kostin Company**

represented by **Bernard J. Garbutt, III**  
(See above for address)

**Matthew Kalinowski**  
(See above for address)

***Defendant***  
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**Deborah Weinstein, in her capacity as  
Limited Partner of Kostin Company**

represented by **Bernard J. Garbutt, III**  
(See above for address)

**Matthew Kalinowski**  
(See above for address)

***Defendant***  
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**David Kostin, in his capacity as Limited  
Partner of Kostin Company**

represented by **Bernard J. Garbutt, III**  
(See above for address)

**Matthew Kalinowski**  
(See above for address)

***Defendant***  
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**Andrew Kostin, in his capacity as Limited  
Partner of Kostin Company**

represented by **Bernard J. Garbutt, III**  
(See above for address)

**Matthew Kalinowski**  
(See above for address)

Filing Date	#	Docket Text
		Complaint against Kostin Company, Susan Kostin, in her capacity as General Partner of Kostin Company, Deborah

12/02/2010	<a href="#">1</a>	Weinstein, in her capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company . Nature(s) of Suit: (13 (Recovery of money/property - 548 fraudulent transfer)), (14 (Recovery of money/property - other)) Filed by Marc E. Hirschfield, Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 12/02/2010)
12/02/2010	<a href="#">2</a>	Letter \Notice of Applicability of The Order Approving Litigation Case Management Procedures for Avoidance Actions filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 12/02/2010)
12/02/2010		Receipt of Complaint(10-04950) [cmp,cmp] ( 250.00) Filing Fee. Receipt number 635. Fee amount 250.00. (Slinger) (Entered: 12/02/2010)
12/03/2010		Judge Burton R. Lifland added to the case. (Cales, Humberto). (Entered: 12/03/2010)
02/24/2011	<a href="#">3</a>	Summons and Notice of Pre-Trial Conference against Kostin Company Answer Due: 4/25/2011; Susan Kostin, in her capacity as General Partner of Kostin Company Answer Due: 4/25/2011; Andrew Kostin, in his capacity as Limited Partner of Kostin Company Answer Due: 4/25/2011; David Kostin, in his capacity as Limited Partner of Kostin Company Answer Due: 4/25/2011; Deborah Weinstein, in her capacity as Limited Partner of Kostin Company Answer Due: 4/25/2011. Pre-Trial date to be determined by Court Order. (Cales, Humberto) (Entered: 02/24/2011)
02/24/2011	<a href="#">4</a>	Affidavit of Service (related document(s) <a href="#">3</a> , <a href="#">2</a> , <a href="#">1</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 02/24/2011)
03/07/2011	<a href="#">5</a>	Affidavit of Service (related document(s) <a href="#">3</a> , <a href="#">2</a> , <a href="#">1</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 03/07/2011)
		Request for a Second Summons filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield,

03/14/2011		Marc) (Entered: 03/14/2011)
03/16/2011	<a href="#">6</a>	Notice of Appearance filed by Matthew Kalinowski on behalf of Kostin Company, Susan Kostin, in her capacity as General Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Deborah Weinstein, in her capacity as Limited Partner of Kostin Company. (Kalinowski, Matthew) (Entered: 03/16/2011)
03/16/2011	<a href="#">7</a>	Notice of Appearance in Adversary Proceeding of <i>Bernard J. Garbutt III</i> filed by Matthew Kalinowski on behalf of Kostin Company, Susan Kostin, in her capacity as General Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Deborah Weinstein, in her capacity as Limited Partner of Kostin Company. (Kalinowski, Matthew) (Entered: 03/16/2011)
03/22/2011	<a href="#">8</a>	SECOND Summons and Notice of Pre-Trial Conference against Kostin Company Answer Due: 5/23/2011; Susan Kostin, in her capacity as General Partner of Kostin Company Answer Due: 5/23/2011; Andrew Kostin, in his capacity as Limited Partner of Kostin Company Answer Due: 5/23/2011; David Kostin, in his capacity as Limited Partner of Kostin Company Answer Due: 5/23/2011; Deborah Weinstein, in her capacity as Limited Partner of Kostin Company Answer Due: 5/23/2011. Pre-Trial date to be determined by Court Order. (Campbell, Tiffany) (Entered: 03/22/2011)
03/22/2011	<a href="#">9</a>	Notice of Appearance (related document(s) <a href="#">7</a> ) filed by Bernard J. Garbutt III on behalf of Kostin Company, Susan Kostin, in her capacity as General Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Deborah Weinstein, in her capacity as Limited Partner of Kostin Company. (Garbutt, Bernard) (Entered: 03/22/2011)
03/25/2011	<a href="#">10</a>	Affidavit of Service (related document(s) <a href="#">8</a> , <a href="#">2</a> , <a href="#">1</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 03/25/2011)
04/27/2011	<a href="#">11</a>	Statement <i>Notice of Extended Response Due Date</i> filed by Heather J. McDonald on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (McDonald, Heather) (Entered: 04/27/2011)

05/03/2011	<a href="#">12</a>	Affidavit of Service of <i>Notice of Extended Response Due Date</i> (related document(s) <a href="#">11</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 05/03/2011)
05/31/2011	<a href="#">13</a>	Statement / <i>Notice of Extended Response Due Date</i> filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 05/31/2011)
06/01/2011	<a href="#">14</a>	Statement <i>Second Notice of Extended Response Due Date</i> filed by Heather J. McDonald on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (McDonald, Heather) (Entered: 06/01/2011)
06/23/2011	<a href="#">15</a>	Affidavit of Service of <i>Second Notice of Extended Response Due Date</i> (related document(s) <a href="#">14</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 06/23/2011)
06/29/2011	<a href="#">16</a>	Stipulation <i>Extending Time to Respond</i> filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 06/29/2011)
09/01/2011	<a href="#">17</a>	Statement / <i>Notice of Mediation Referral</i> filed by Heather J. McDonald on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (McDonald, Heather) (Entered: 09/01/2011)
09/09/2011	<a href="#">18</a>	Affidavit of Service (related document(s) <a href="#">17</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 09/09/2011)
09/14/2011	<a href="#">19</a>	Statement / <i>Notice of Mediator Selection</i> filed by Heather J. McDonald on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (McDonald, Heather) (Entered: 09/14/2011)
09/14/2011	<a href="#">20</a>	<b>(THIS ENTRY IS A DUPLICATE OF DOCUMENT <a href="#">19</a>)</b> Statement / <i>Notice of Mediator Selection</i> filed by Heather J. McDonald on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (McDonald, Heather) Modified on 9/14/2011 (Richards, Beverly). (Entered: 09/14/2011)

09/21/2011	<a href="#">21</a>	Affidavit of Service (related document(s) <a href="#">19</a> ) filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC. (Hirschfield, Marc) (Entered: 09/21/2011)
01/12/2012	<a href="#">22</a>	Stipulation <i>Extending Time to Conclude Mediation</i> filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Hirschfield, Marc) (Entered: 01/12/2012)
03/15/2012	<a href="#">23</a>	Stipulation <i>Extending Time to Conclude Mediation</i> filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Sheehan, David) (Entered: 03/15/2012)
03/29/2012	<a href="#">24</a>	Statement <i>Rule 7.1 Statement</i> filed by Bernard J. Garbutt III on behalf of Kostin Company, Susan Kostin, in her capacity as General Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Deborah Weinstein, in her capacity as Limited Partner of Kostin Company. (Garbutt, Bernard) (Entered: 03/29/2012)
03/29/2012	<a href="#">25</a>	Motion to Withdraw the Reference filed by Bernard J. Garbutt III on behalf of Kostin Company, Susan Kostin, in her capacity as General Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Deborah Weinstein, in her capacity as Limited Partner of Kostin Company. (Attachments: # <a href="#">1</a> Declaration of Bernard J. Garbutt III in Support of Defendants' Motion to Withdraw the Reference# <a href="#">2</a> Exhibit A# <a href="#">3</a> Exhibit B# <a href="#">4</a> Exhibit C# <a href="#">5</a> Exhibit D# <a href="#">6</a> Exhibit E# <a href="#">7</a> Exhibit F# <a href="#">8</a> Exhibit G# <a href="#">9</a> Exhibit H# <a href="#">10</a> Exhibit I# <a href="#">11</a> Exhibit J# <a href="#">12</a> Exhibit K# <a href="#">13</a> Exhibit L# <a href="#">14</a> Exhibit M# <a href="#">15</a> Exhibit N# <a href="#">16</a> Exhibit O# <a href="#">17</a> Exhibit P# <a href="#">18</a> Exhibit Q# <a href="#">19</a> Certificate of Service) (Garbutt, Bernard) (Entered: 03/29/2012)
03/29/2012		Receipt of Motion to Withdraw the Reference (fee)(10-04950-brl) [motion,205] ( 176.00) Filing Fee. Receipt number 8415138. Fee amount 176.00. (U.S. Treasury) (Entered: 03/29/2012)
		Memorandum of Law <i>in Support of the Defendants' Motion to Withdraw the Reference</i> (related document(s) <a href="#">25</a> ) filed by Bernard J. Garbutt III on behalf of Kostin Company, Susan

03/29/2012	<a href="#">26</a>	Kostin, in her capacity as General Partner of Kostin Company, Andrew Kostin, in his capacity as Limited Partner of Kostin Company, David Kostin, in his capacity as Limited Partner of Kostin Company, Deborah Weinstein, in her capacity as Limited Partner of Kostin Company. (Garbutt, Bernard) (Entered: 03/29/2012)
05/01/2012	<a href="#">27</a>	Stipulation / <i>Second Stipulation Extending Time to Conclude Mediation</i> filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Hirschfield, Marc) (Entered: 05/01/2012)
06/27/2012	<a href="#">28</a>	Stipulation <i>Extending Time to Conclude Mediation</i> filed by Marc E. Hirschfield on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff. (Hirschfield, Marc) (Entered: 06/27/2012)
09/21/2012	<a href="#">29</a>	Civil Cover Sheet from U.S. District Court, Case Number: 1202409 (related document(s) <a href="#">25</a> ) filed by Clerk's Office of the U.S. Bankruptcy Court, S.D.N.Y.. (Rouzeau, Anatin) (Entered: 09/21/2012)